

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Citicasters Co.,

Case No. 3:07CV00117

Plaintiff

v.

ORDER

Carleton S. Finkbeiner, et al.,

Defendant

This is a civil rights case in which the plaintiffs claim that the defendants, Carleton S. Finkbeiner, Mayor of the City of Toledo, and Brian Schwartz [sued in his capacity as spokesperson for the Mayor] violated the plaintiffs' rights under the First and Fourteenth Amendments.

The gravamen of the complaint is that the defendants would not give notice to plaintiff Kevin Milliken, an employee of the plaintiff Citicasters [a broadcasting company] about the Mayor's public news conference to the same extent that they gave such notice to other media representatives.

In addition, the complaint alleged that, shortly before the complaint was filed, the defendants had refused to allow plaintiff Milliken to attend a public news conference being held by the Mayor.

Following a hearing, a temporary restraining order was issued enjoining the conduct which led to the filing of the complaint. Thereafter a permanent injunction was entered by agreement.

Pending is the plaintiffs' motion for an award of attorneys' fees and costs in the amount of \$18,571.68.

No opposition or objection to the motion has been filed.

On review of the motion, I find it well taken. The plaintiffs prevailed on their complaint that their constitutional rights had been violated; the time expended, the hourly rate charged, and the ancillary costs are reasonable, and necessarily incurred to redress the defendants' actions.

It is, therefore,

ORDERED THAT the plaintiffs' motion for an award of attorneys' fees and costs be, and the same hereby is granted.

The Clerk shall enter judgment in the amount of \$18,571.68 accordingly.

So ordered.

/s/ James G. Carr
James G. Carr
Chief Judge